

#9

Practitioner's Docket No.: ULT-001-1

PATENT

**POWER OF ATTORNEY BY ASSIGNEE
TO EXCLUSION OF INVENTOR
UNDER 37 C.F.R. § 3.71
WITH REVOCATION OF PRIOR POWERS**



The undersigned ASSIGNEE of the entire interest in:

- ☐ U.S. Patent No. _____
☒ U.S. Application No. 09/693,271, filed on 10/20/2000

hereby appoints the attorneys and agents of:

**Bever, Hoffman & Harms, LLP
Customer Number 22888**

which attorneys and agents are registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee: the Assignment recorded on 10/23/1999 at reel 010617, frame 0290, and a copy of an Assignment attached hereto, which Assignment is herewith forwarded to the Patent and Trademark Office for recording.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all correspondence and telephone calls to: Customer Number 22888.

ASSIGNEE: UltraCard, Inc.

Name: 
Daniel P. Kehoe, President & CEO

Date: 12-23-03

BEST AVAILABLE COPY

ASSIGNMENT
(Joint Inventors)

Whereas, we, DONALD C. MANN, BERT D. COOK, JR., WILLIAM ZEISSNER and ROBERT L. PARKISON, all citizens of the United States of America, and residents of Thousand Oaks, California, Morgan Hill, California, Fountain Valley, California and Placentia, California, respectively, and whose addresses appear below (hereinafter collectively referred to as "ASSIGNORS"), have invented certain new and useful improvements in DATA STORAGE DEVICE, APPARATUS AND METHOD FOR USING SAME (hereinafter referred to as the "INVENTION") for which an application for United States Letters Patent was

___ executed on even date herewith

___ executed on:

X filed on: October 20, 2000

Serial No.: 09/693,271

___ established by PCT International Patent Application No.:
Filed:

WHEREAS, ULTRACARD, INC., a California corporation, whose post office address is 980 University Avenue, Los Gatos, California 95032 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to the same in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, we, ASSIGNORS, by these presents do sell, assign and transfer until said ASSIGNEE, the entire right, title and interest in and to the said INVENTION and application throughout the United States of America, including any and all United States Letters Patent granted on any division, continuation, continuation-in-part and reissue of said application; and the entire right, title and interest in and to the said INVENTION throughout the world, including the right to apply for patents and inventor certificates in respect thereof and to claim priority pursuant to rights accorded ASSIGNORS under the terms of the Paris International Convention and all other available international conventions and treaties; and the entire right, title and interest in and to any and all patents, patents of addition, utility models, patents of importation, revalidation patents and inventor certificates which may be granted throughout the world in respect of said INVENTION.

ALSO, ASSIGNORS hereby agree to execute any documents that legally may be required in connection with the filing, prosecution and maintenance of said application or any other patent application(s) or inventor certificate(s) in the United States and in foreign countries for said INVENTION, including additional documents that may be required to affirm the rights of ASSIGNEE in and to said INVENTION, all without further consideration. ASSIGNORS also agree, without further

consideration and at ASSIGNEE'S expense, to identify and communicate to ASSIGNEE at ASSIGNEE'S request documents and information concerning the INVENTION that are within ASSIGNORS' possession or control, and to provide further assurances and testimony on behalf of ASSIGNEE that lawfully may be required of ASSIGNORS in respect of the prosecution, maintenance and defense of any patent application or patent encompassed within the terms of this instrument. ASSIGNORS' obligations under this instrument shall extend to ASSIGNORS' heirs, executors, administrators and other legal representatives.

ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent referred to above to ASSIGNEE, as the ASSIGNEE of the entire right, title and interest in and to the same, for ASSIGNEE'S sole use and behoof; and for the use and behoof of ASSIGNEE'S legal representatives and successors, to the full end of the term for which such Letters Patent may be granted, as fully and entirely as the same would have been held by ASSIGNORS had this assignment and sale not been made.

IN WITNESS WHEREOF, we have hereunto signed our names on the date and year set forth below.

Assignors

Place of Signing: Campbell, California
Full Name of Assignor: Donald C. Mann
Assignor's Signature: *Donald C. Mann* Date: May 22, 2001
Residence Address: 750 Camino Las Conchas
Thousand Oaks, California 91360

Place of Signing: Campbell, California
Full Name of Assignor: Bert D. Cook, Jr.
Assignor's Signature: *Bert D. Cook Jr.* Date: May 29, 2001
Residence Address: 1125 Easy Street
Morgan Hill, California 95037

Place of Signing: Fountain Valley, California
Full Name of Assignor: William Zeissner
Assignor's Signature: *William Zeissner* Date: May 29, 2001
Residence Address: 8728 Frazer River Circle
Fountain Valley, California, 92708

Place of Signing: Placentia, California
Full Name of Assignor: Robert L. Parkison
Assignor's Signature: *Robert L. Parkison* Date: May 29, 2001
Residence Address: 507 Shoshoni Avenue
Placentia, California 92870

STATE OF CALIFORNIA)

) ss.

COUNTY OF SAN JOSE)

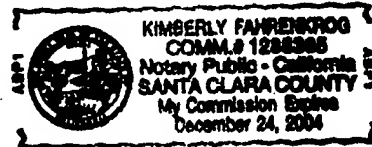
On this 22 day of May, 2001,
before me, Kimberly Fahrenkrog, a
Notary Public in and for said County
and State, personally appeared Donald
C. Mann and Bert D. Cook, Jr.
personally known to me (or proved to
me on the basis of satisfactory
evidence) to be the persons whose
names are subscribed to the within
instrument and acknowledged to me that
they executed the same in their
authorized capacity, and that by their
signature on the instrument the
person, or the entity upon behalf of
which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

Kimberly Fahrenkrog

FOR NOTARY SEAL OR STAMP



STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

On this ____ day of May, 2001,
before me, _____, a
Notary Public in and for said County
and State, personally appeared William
Zeissner and Robert L. Parkinson,
personally known to me (or proved to
me on the basis of satisfactory
evidence) to be the persons whose
names are subscribed to the within
instrument and acknowledged to me that
they executed the same in their
authorized capacity, and that by their
signature on the instrument the
person, or the entity upon behalf of
which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

FOR NOTARY SEAL OR STAMP